



02-03-05

RCE
JMW

Express Mail Mailing Label No. EV 219997257 US

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

ADDRESS TO: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application No.	10/017,148
Filing Date	December 14, 2001
First Named Inventor	Jennings
Group Art Unit	2671
Examiner Name	Nguyen, Kimbinh T.
Attorney Docket No.	SNS-009B

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTES

RCE v. CPA: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

FEE AND SUBMISSION REQUIRED: A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

RCE APPLIES TO: An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

RCE DOES NOT APPLY TO: (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114

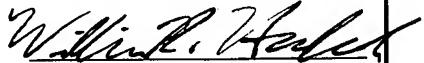
- a. Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on September 17, 2004 (copy enclosed).
- b. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- c. Amendment/Response enclosed.
- d. Affidavit(s)/Declaration(s) enclosed.
- e. Information Disclosure Statement (IDS) enclosed.
 - i. PTO-1449
 - ii. Copies of IDS Citations
- f. Other

2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114

- a. Small entity status
 - i. was established in the prior nonprovisional application.
 - ii. is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. A Petition and Fee for Extension of Time for 1 month up to and including 2/4/05 is enclosed herewith.
Applicants filed a complete reply to the final Office action within 2 months of the mailing date of the final Office action (Final action dated 8/4/04, reply dated 9/17/04). Thus, under MPEP 706.07(f), Applicants believe the shortened statutory period (SSP) for reply expires as of the mailing date of the advisory action (advisory action dated 1/10/05), and a one-month extension is required for filing this RCE on 2/2/05.
- c. A check in the amount of \$455.00 is enclosed.
- d. The Commissioner is hereby authorized to charge the required fee(s), i.e., \$_____, to Deposit Account No. 20-0531.
- e. The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

3. MISCELLANEOUS

- a. Return Receipt Postcard enclosed.
- b. Other: Fee Transmittal Form.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  William R. Haulbrook, Ph.D. Attorney for Applicant(s) Testa, Hurwitz & Thibeault, LLP High Street Tower 125 High Street Boston, MA 02110

VER. 12/00
3172820

O I P
FEE TRANSMITTAL

FY 2005

FEB 02 2005

Complete if Known

Application Serial Number	10/017,148
Filing Date	December 14, 2001
First Named Inventor	Jennings
Group Art Unit	2671
Examiner Name	Nguyen, Kimbinh T.
Attorney Docket No.	SNS-009B

METHOD OF PAYMENT

1. Payment Enclosed:
 Check Money Order Other

2. The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
 Required Fees (copy of this sheet enclosed).
 Additional fee required under 37 CFR 1.16 and 1.17.
 Overpayment Credit.

3. Applicant claims small entity status.

FEE CALCULATION

1. FILING/SEARCH/EXAM/SIZE FEES

Large Entity

Fee (\$)	Fee Description	Fee Paid
300	Utility filing fee	
500	Utility search fee	
200	Utility exam fee	
250	Utility size fee (each add'l 50 pgs. over 100)	
200	Design filing fee	
100	Design search fee	
130	Design exam fee	
250	Design size fee (each add'l 50 pgs. over 100)	

Number Filed	Number Extra	Rate	Amount
--------------	--------------	------	--------

Total Claims - 20 = x \$ 50.00 =

Independent Claims - 3 = x \$200.00 =

Multiple Dependent Claim(s), if any \$360.00 =

TOTAL:

SMALL ENTITY DISCOUNT:

SUBTOTAL (1) (\$ 0.00)

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	- =		x \$ 50.00 =	
Indep.	- =		x \$ 200.00 =	

First Presentation of Multiple Dep. Claim + \$ 360.00 =

TOTAL: (\$ 0.00)

SMALL ENTITY DISCOUNT: (\$ 0.00)

SUBTOTAL (2) (\$ 0.00)

SUBTOTAL (3) (\$ 455.00)

SUBTOTAL (1) \$ 0.00

SUBTOTAL (2) \$ 0.00

SUBTOTAL (3) \$ 455.00

TOTAL (\$ 455.00)

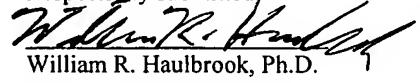
CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibeault, LLP
High Street Tower-125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,


William R. Haulbrook, Ph.D.
Attorney for the Applicants
Testa, Hurwitz & Thibeault, LLP
High Street Tower-125 High Street
Boston, MA 02110